

STATE OF WISCONSIN
Senate Journal
Ninety–Sixth Regular Session

WEDNESDAY, February 11, 2004

The Chief Clerk makes the following entries dated
February 5, 2004 :

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CHIEF CLERK’S ENTRIES

The Chief Clerk records:

Senate Bill 6

Senate Bill 279

Senate Bill 320

Senate Bill 326

Report correctly enrolled on February 5, 2004.

The Chief Clerk makes the following entries dated
February 6, 2004 :

—————
The joint committee on **Finance** reports and recommends:

Senate Bill 120

Relating to: creating a public health council, reimbursement for quarantine costs, intrastate mutual aid, requiring use of the incident command system in an emergency, exemption from liability during a state of emergency, threats to release or disseminate harmful chemical, biological, or radioactive substances, making appropriations, and providing a penalty.

Adoption of Senate Amendment 1.

Ayes, 14 – Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf and Kanavas. Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff.

Noes, 2 – Senators Decker and Moore.

Introduction and adoption of Senate Amendment 1 to Senate Amendment 1.

Ayes, 16 – Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore. Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff.

Noes, 0 – None.

Passage as amended.

Ayes, 15 – Senators Darling, Welch, S. Fitzgerald, Harsdorf, Kanavas, Decker and Moore. Representatives Kaufert, Huebsch, Ward, Stone, Rhoades, D. Meyer, Krug and Schooff.

Noes, 1 – Senator Lazich.

Alberta Darling
Senate Chairperson

The committee on **Higher Education and Tourism** reports and recommends:

Senate Bill 209

Relating to: regulating athlete agents, granting rule–making authority, making an appropriation, and providing penalties.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

Passage as amended.

Ayes, 5 – Senators Harsdorf, Schultz, Cowles, Breske and Chvala.

Noes, 0 – None.

Sheila Harsdorf
Chairperson

—————
Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 294

Assembly Bill 308

Assembly Bill 369

Assembly Bill 402

Assembly Bill 501

Assembly Bill 651

Assembly Bill 668

Assembly Bill 669

Assembly Bill 728

Concurred in:

Senate substitute amendment 1 to **Assembly Bill 729**

Senate amendment 1 to **Assembly Bill 283**

Senate amendment 1 to **Assembly Bill 409**

Senate amendment 3 to **Assembly Bill 519**

Senate Bill 97

Senate Bill 375

Senate Bill 380

Senate Bill 381

Senate Joint Resolution 48

Amended and concurred in as amended::

Senate amendment 1 to **Assembly Bill 519** Assembly amendment 1 to Senate amendment 1 adopted

Nonconcurrent in:

Senate amendment 2 to **Assembly Bill 519**

Assembly Bill 294

Relating to: using digital recordings of a child's testimony.

By Representatives Boyle, Bies, Musser, Turner, Berceau, Lassa and Albers; cosponsored by Senator Jauch.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

Assembly Bill 308

Relating to: the prohibition of certain billing practices for consumer goods or services, lawn care service contracts, granting rule-making authority, and providing penalties.

By Representatives Jeskewitz, Berceau, Miller, Hahn, M. Lehman, Van Roy, Cullen, Musser, Ladwig, Olsen, Sinicki, Huber, Seratti, Ott, J. Wood, J. Lehman, Gielow, Ainsworth, Plouff, Bies, Townsend, Gronemus, Balow, Hundertmark, Albers and Gunderson; cosponsored by Senators Erpenbach, Carpenter, Schultz and Harsdorf.

Read first time and referred to committee on **Labor, Small Business Development and Consumer Affairs**.

Assembly Bill 369

Relating to: requiring the Department of Transportation to provide transportation planning and assistance in reviewing the site plan of proposed school construction or enlargement and granting rule-making authority.

By Representatives Wieckert, Jeskewitz, Gronemus, Ainsworth, Friske, J. Lehman, Freese, Weber, Seratti, Vrakas, Gunderson, Hundertmark, Van Roy, Hahn, Petrowski, Huber, Bies, Pettis and Townsend; cosponsored by Senators Roessler, Breske, Stepp and Lassa.

Read first time and referred to committee on **Transportation and Information Infrastructure**.

Assembly Bill 402

Relating to: proceedings involving an American Indian juvenile who is alleged to have committed a delinquent act while physically outside the boundaries of a reservation and off-reservation trust land because of certain tribal court orders.

By Joint Legislative Council.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

Assembly Bill 501

Relating to: the maximum permissible length and width of motor homes and recreational vehicles operated without a permit.

By Representatives Kerkman, Gunderson, Towns, Ladwig, Hundertmark, Olsen, Van Roy and LeMahieu; cosponsored by Senators Zien and A. Lasee.

Read first time and referred to committee on **Transportation and Information Infrastructure**.

Assembly Bill 651

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, garnishment, attorney fees, exemption from execution of accounts, civil actions by collection agencies, earnings garnishment, retail theft, recovery in actions involving worthless checks, and revocation of fish and game approvals for which payment is made by worthless checks.

By Representatives Montgomery, Olsen, Musser, Hines, LeMahieu, Hahn, Gard, Vrakas, Rhoades, Grothman, Bies, Townsend, McCormick, Hundertmark, Owens, Krawczyk, J.

Fitzgerald, Kestell, Suder, Albers, Powers and Gunderson; cosponsored by Senators Stepp, Kanavas, Schultz, Lassa, Welch, Breske, Hansen, Roessler and Cowles.

Read first time and referred to committee on **Judiciary, Corrections and Privacy**.

Assembly Bill 668

Relating to: various changes in the unemployment insurance law, granting rule-making authority, and making appropriations.

By committee on Labor.

Read first time and referred to committee on **Labor, Small Business Development and Consumer Affairs**.

Assembly Bill 669

Relating to: making various changes in the worker's compensation law and granting rule-making authority.

By committee on Labor.

Read first time and referred to committee on **Labor, Small Business Development and Consumer Affairs**.

Assembly Bill 728

Relating to: comprehensive planning by local governmental units and fees imposed by political subdivisions.

By Representative Gard.

Read first time and referred to select committee on **Job Creation**.

Senate Bill 431 was withdrawn from the committee on **Homeland Security, Veterans and Military Affairs and Government Reform** and referred to the committee on **Transportation and Information Infrastructure**, pursuant to **Senate Rule 46 (2) (c)**.

The Chief Clerk makes the following entries dated **February 9, 2004** :

Read first time and referred:

Senate Joint Resolution 61

Relating to: deleting from the constitution the offices of secretary of state and state treasurer (first consideration).

By Senator A. Lasee; cosponsored by Representatives Bies, Hines, Kerkman, Nischke and J. Wood.

To committee on **Judiciary, Corrections and Privacy**.

Senate Joint Resolution 62

Relating to: abolishing the office of lieutenant governor (first consideration).

By Senator A. Lasee; cosponsored by Representatives Bies, Hines, Kerkman, Nischke and J. Wood.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 435

Relating to: waiver of a requirement under hemophilia treatment program to apply for other coverage.

By Senators M. Meyer and Schultz; cosponsored by Representatives Johnsrud, Huebsch, Hahn, Hines, McCormick, Gronemus, Plouff, Musser and Albers.

To committee on **Health, Children, Families, Aging and Long Term Care**.

Senate Bill 436

Relating to: motor vehicle emission inspections.

By Senators Leibham, Lazich, Reynolds, Kanavas, Welch and Stepp; cosponsored by Representatives Kerkman, Kestell, M. Lehman, Vukmir, Ott, Ainsworth, Gottlieb, Ladwig, Hahn,

Nischke, Nass, Jeskewitz, McCormick, Jensen, Gundrum, Van Akkeren, LeMahieu, Krawczyk, Vrakas and Gunderson.

To committee on **Transportation and Information Infrastructure**.

Senate Bill 437

Relating to: funding for engineering instruction at the University of Wisconsin–Rock County campus and making an appropriation.

By Senators Schultz, Kanavas, Welch and Darling; cosponsored by Representatives Towns, W. Wood, Powers, Ward, Gard, Loeffelholz, Musser, J. Wood, Albers, Ott, Hines, McCormick, Gunderson, Freese and Kaufert.

To committee on **Higher Education and Tourism**.

Senate Bill 438

Relating to: naming certain state office buildings.

By Senators Welch, Kanavas and Schultz; cosponsored by Representatives Vrakas, Nischke, Ladwig, Albers, McCormick, Owens and Freese.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform**.

Senate Bill 439

Relating to: time–share licenses.

By Senators Welch and Lassa; cosponsored by Representatives Hines, Grothman, Ainsworth, Krawczyk and Hahn.

To committee on **Economic Development, Job Creation and Housing**.

Senate Bill 440

Relating to: public inland lake protection and rehabilitation district meetings, duties of members of the district’s board of commissioners, lake monitoring contracts, and granting rule–making authority.

By Senators Kedzie, Kanavas and Cowles; cosponsored by Representatives Nischke, Richards, Hahn, Towns, Albers, Ott, Hines, McCormick and Krawczyk.

To committee on **Environment and Natural Resources**.

Senate Bill 441

Relating to: the definition of sexually violent person and criteria for supervised release.

By Senators Darling, Brown, Lazich, Kanavas, Roessler, Stepp, Reynolds and Schultz; cosponsored by Representatives Stone, Suder, Musser, Freese, Nischke, Kreibich, M. Lehman, Jeskewitz, Nass, Albers, Hines, Ladwig, Gielow, McCormick, Kestell, Owens, J. Fitzgerald, Seratti, Vukmir, Hundertmark and Townsend.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 442

Relating to: permitting third–party testers to administer driving skills tests for certain noncommercial motor vehicle drivers.

By Senators Leibham, Kanavas, Reynolds, A. Lasee and S. Fitzgerald; cosponsored by Representatives Ainsworth, Kestell, Hines, Montgomery, Albers, Nass, Ott, Hundertmark, Taylor, Townsend and Gunderson.

To committee on **Transportation and Information Infrastructure**.

Senate Bill 443

Relating to: motor vehicle buyers, granting rule–making authority, and providing a penalty.

By Senator Leibham; cosponsored by Representative Freese.

To committee on **Transportation and Information Infrastructure**.

Senate Bill 444

Relating to: creating income and franchise tax credits for businesses located in an airport development zone and a loan program for certain construction projects in an airport development zone.

By Senators Roessler, Brown, Kanavas, Welch and Zien; cosponsored by Representatives Underheim, Nischke, Ott, Van Roy and Weber.

To committee on **Economic Development, Job Creation and Housing**.

Senate Bill 445

Relating to: creating a property tax exemption for arts and arts education centers.

By Senators Kanavas, Reynolds and Welch; cosponsored by Representatives Vukmir, Nischke, Jensen, Hines, Schneider and McCormick.

To joint survey committee on **Tax Exemptions**.

The Chief Clerk makes the following entries dated **February 10, 2004** :

Read and referred:

Senate Joint Resolution 63

Relating to: providing that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state (first consideration).

By Senators S. Fitzgerald, Zien, Roessler, Lazich, Leibham, Schultz and Kanavas; cosponsored by Representatives Gundrum, W. Wood, Vukmir, Nischke, Weber, Krawczyk, Albers, Suder, J. Fitzgerald, Towns, Owens, Ladwig, McCormick, Hundertmark, M. Williams, Seratti, Van Roy, Grothman, Bies, LeMahieu, Honadel, Pettis, Nass, Ott, Vrakas, F. Lasee, Hahn, Kestell, Lothian, Hines, Olsen, Gottlieb, Townsend, Gunderson, Kreibich, Petrowski, D. Meyer and Huebsch.

To committee on **Judiciary, Corrections and Privacy**.

Senate Bill 446

Relating to: vehicle protection product warranties.

By Senators Schultz, Kanavas and Hansen; cosponsored by Representatives Ladwig, Townsend and Hahn.

To committee on **Agriculture, Financial Institutions and Insurance**.

Senate Bill 447

Relating to: major highway projects and the Transportation Projects Commission.

By Senators Cowles, Ellis, Harsdorf and Kanavas; cosponsored by Representatives Weber, Van Roy, Krawczyk, Nass, Ladwig, Gunderson, M. Lehman, Albers, McCormick, Townsend, Honadel and Ott.

To committee on **Transportation and Information Infrastructure**.

Senate Bill 448

Relating to: issuance of operators’ licenses to persons previously licensed in another state.

By Senators Leibham, Cowles, A. Lasee, Lassa and Reynolds; cosponsored by Representatives Ainsworth, Albers,

Hahn, Hines, Hundertmark, Kestell, Musser, Nass, Olsen, Ott, Seratti and Van Roy.

To committee on **Transportation and Information Infrastructure.**

Senate Bill 449

Relating to: creating a refundable individual income tax credit for sales and use taxes paid to replace damaged or destroyed tangible personal property and making an appropriation.

By Senators Welch, Roessler and Lassa; cosponsored by Representatives Olsen, Musser, Albers, Gunderson, Hines and McCormick.

To committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

Senate Bill 450

Relating to: apportioning remaining net income by using a single sales factor based on creating and retaining new jobs.

By Senators Kanavas, Reynolds, Schultz, Stepp, Welch, Brown and Roessler; cosponsored by Representatives Nischke, J. Fitzgerald, Ladwig, Musser, Jeskewitz, M. Lehman, Towns, Van Roy, Vukmir, Albers, Ott, F. Lasee, Hines, Townsend, Gunderson and Petrowski.

To committee on **Economic Development, Job Creation and Housing.**

Senate Bill 451

Relating to: appropriating money to technical college districts for the Wisconsin Advantage Jobs Training Program and making an appropriation.

By Senator Leibham; cosponsored by Representatives Krawczyk and Wieckert.

To select committee on **Job Creation.**

Senate Bill 452

Relating to: establishing a cancer drug repository program and requiring the exercise of rule-making authority.

By Senators Stepp, Roessler, Schultz, Robson, Brown, Erpenbach, Welch, Kanavas, Carpenter, Zien, Wirch, Coggs, Plale, A. Lasee, Lassa and Chvala; cosponsored by Representatives Underheim, Krawczyk, Ladwig, Pettis, M. Lehman, Johnsrud, Kerkman, Vruwink, Kreibich, Montgomery, Miller, Vukmir, Gunderson, Hahn, Hebl, Gielow, Hines, Plouff, Huber, Wieckert, Hundertmark, Travis, Nass, Bies and Townsend.

To committee on **Health, Children, Families, Aging and Long Term Care.**

The Chief Clerk records:

Senate Bill 97

Senate Bill 375

Senate Bill 380

Senate Bill 381

Report correctly enrolled on February 10, 2004.

Senate substitute amendment 1 to **Senate Bill 384** offered by Senator Leibham.

Senate substitute amendment 1 to **Senate Bill 408** offered by Senator Reynolds.

The Chief Clerk makes the following entries under the above date.

INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

Senate Bill 453

Relating to: exempting from taxation certain amounts of pension income received by an individual.

By Senators Wirch, Schultz, Breske, Hansen, Roessler, Chvala, Lassa, M. Meyer and Carpenter; cosponsored by Representatives Seratti, J. Lehman, Ladwig, Hines, Albers, Plouff, Loeffelholz, J. Wood and Gunderson.

To joint survey committee on **Tax Exemptions.**

Senate Bill 454

Relating to: fees for certain motor vehicle registration plates.

By Senator Harsdorf; cosponsored by Representatives McCormick, Hines and Taylor.

To committee on **Transportation and Information Infrastructure.**

Senate Bill 455

Relating to: financial information required to be provided by milk contractors.

By Senators Schultz, Brown and Kedzie; cosponsored by Representatives McCormick, Musser, Freese, Gronemus and Albers.

To committee on **Agriculture, Financial Institutions and Insurance.**

Senate Bill 456

Relating to: attaching the Office of the Commissioner of Railroads to the Department of Transportation, decisions related to railroad crossing protection improvements, and making an appropriation.

By Senators S. Fitzgerald, A. Lasee, Kanavas and Reynolds; cosponsored by Representatives Foti, Kerkman, Nass, Ladwig, Musser, Owens, Pettis and Hahn.

To committee on **Transportation and Information Infrastructure.**

Senate Bill 457

Relating to: deferred prosecution agreements for persons charged with issuing a worthless check or other order for payment and allowing a district attorney to collect money owed to others.

By Senators Robson, Risser and M. Meyer; cosponsored by Representatives Schooff, Kaufert, Boyle, Miller, Musser, Lothian, Berceau, Plouff, J. Lehman, Gundrum, Ziegelbauer and Molepske.

To committee on **Judiciary, Corrections and Privacy.**

REPORT OF COMMITTEES

The committee on **Judiciary, Corrections and Privacy** reports and recommends:

Assembly Bill 14

Relating to: notification to law enforcement of a sexual offender's residence.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 324

Relating to: classification of jail prisoners for determining prisoner housing assignments, the type of prisoner supervision, and the delivery of services and programs to prisoners.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 327

Relating to: prohibiting certain computer postings that invite harassment or obscene, lewd, or profane communication and providing a penalty.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 352

Relating to: circumstances under which a prisoner may be permitted to leave a jail.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 468

Relating to: exclusion of witnesses from legal proceedings.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 570

Relating to: removal of a shopping cart and providing a penalty.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 715

Relating to: ordinances in certain counties regarding drug paraphernalia and the possession of marijuana.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Assembly Bill 738

Relating to: stalking.

Concurrence.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Senate Bill 126

Relating to: product liability of manufacturers, distributors, and sellers.

Adoption of Senate Substitute Amendment 1.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Passage as amended.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.

Noes, 2 – Senators Carpenter and Coggs.

Senate Bill 312

Relating to: threats to social service workers, juvenile intake workers, or school employees and providing a penalty.

Passage.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Senate Bill 403

Relating to: seizure of a computer used to commit a crime and providing a penalty.

Passage.

Ayes, 5 – Senators Zien, S. Fitzgerald, Stepp, Carpenter and Coggs.

Noes, 0 – None.

Senate Bill 433

Relating to: the time period for service of a responsive pleading.

Passage.

Ayes, 3 – Senators Zien, S. Fitzgerald and Stepp.

Noes, 2 – Senators Carpenter and Coggs.

David Zien
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Office of the Governor**

February 4, 2004

The Honorable, The Senate:

I am vetoing **Senate Bill 252** in its entirety. The bill subjects proposed land acquisition, property development, and grants to local units of government and nonprofit organizations under the Warren Knowles–Gaylord Nelson Stewardship 2000 Program to passive review by the Joint Committee on Finance if the transaction’s cost exceeds \$250,000. This proposal is similar to a previous passive review process for Stewardship transactions that I vetoed in the 2003-05 state budget bill.

After decades of bipartisan support for land conservation that began with Governors Gaylord Nelson and Warren Knowles, the Joint Committee on Finance, in recent years, used their passive review process to politicize Stewardship transactions. Projects were needlessly delayed, sometimes for nearly a year, before the committee would schedule a review. These delays jeopardized many transactions, increased land transaction costs, threatened matching funds raised by private citizens, conservation organizations and local and federal governments, and finally resulted in high quality projects being rejected by partisan votes. Stewardship land conservation is critical to protecting Wisconsin’s quality of life and our vital tourist industry.

I support public input and thorough review of proposed land acquisitions and other activities under the Stewardship 2000 program. Under current law, the seven member, citizen Natural Resources Board, provides policy review and opportunities for public comment on Stewardship 2000 Program activity. State conservation areas are created after public input and open hearings and a public vote by the Natural Resources Board. Individual land purchases over \$150,000 are reviewed and voted upon by the Natural Resources Board in open meetings. This appropriate review process takes the politics out of land conservation and lets the citizen Natural Resources Board make these decisions based upon the merits of the transaction, not partisan politics. I object to the unnecessary duplication of review included in SB 252 and the reinsertion of politics into land conservation.

Lastly, the bill will lead to negative impacts on time sensitive land conservation projects and will jeopardize critical matching funds provided by private conservation organizations, local governments, and the federal government.

Sincerely,

JIM DOYLE
Governor

**State of Wisconsin
Office of the Governor**

February 6, 2004

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Senate Bill 131	Wisconsin Act 122	February 6, 2004
Senate Bill 211	Wisconsin Act 124	February 6, 2004

Sincerely,

JIM DOYLE
Governor

**State of Wisconsin
Office of the Secretary of State**

To the Honorable, the Senate:

<u>Bill, Joint Reso- lution or Resolu- tion Number</u>	<u>Act Number or Enrolled Number</u>	<u>Publication Date</u>
Senate Bill 131	Wisconsin Act 122	February 20, 2004
Senate Bill 211	Wisconsin Act 124	February 20, 2004

Sincerely,
DOUGLAS LA FOLLETTE
Secretary of State

**State of Wisconsin
Department of Administration**

January 30, 2004

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of December 2003.

On December 1, 2003, the **General Fund** cash balance closed at a negative \$185.0 million. The negative balance continued until December 15, 2003, when the balance closed at a positive \$35.2 million. The **General Fund** cash balance reached its monthly low of a negative \$200.3 million on December 11, 2003. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 1, 2003, the **Agricultural Chemical Cleanup Fund** cash balance closed at its monthly low of a negative \$115.0 thousand. The negative balance continued until December 10, 2003, when the balance closed at a positive \$9.0

thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On December 23, 2003, the **Historic Preservation Partnership Fund** cash balance closed at its monthly low of a negative \$6.0 thousand. The negative balance continued until December 29, 2003, when the balance closed at a positive \$36.0 thousand. The negative balance was due to the startup of the fund and a difference in the timing of revenues and expenditures.

The General Fund, Agricultural Chemical Cleanup Fund, and the Historic Preservation Partnership Fund shortfalls were not in excess of the statutory interfund borrowing limitations and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,

MARC J. MAROTTA
Secretary

Referred to the joint committee on **Finance**.

State of Wisconsin

February 5, 2004

The Honorable, The Senate:

Please remove my name as a cosponsor of **Senate Bill 347**, authorizing the use of the design-build construction process for the Milwaukee Metropolitan Sewerage District.

Sincerely,

MARK D. GUNDRUM
State Representative

**State of Wisconsin
Ethics Board**

February 10, 2004

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2003 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

Anderson, David	Apogee Wausau Group
Bloch, Jodi	Wisconsin Hospital Association Inc (WHA)
Boxer, Barbara K	Nonprofit Affordable Housing Coalition
Broydrick, William	Garmin International Inc.
Chandler, Richard	Wisconsin Merchants Federation
Cullen, Thomas	Wisconsin Realtors Association
Derus, Margaret	Nonprofit Affordable Housing Coalition
Elliott, Brian	University of Phoenix
Essie, Patrick	Multi-State Associates on behalf of the National Association of Settlement Purchasers
Franken, Andrew	Wisconsin Association of Convention & Visitors Bureaus
Hanson, David	SBC-Wisconsin
Hertel, Julia	Wisconsin Association of Convention & Visitors Bureaus

Hilton, Stephanie **United Council of UW Students Inc**
 Honzelka, Joseph **Milwaukee Police Association**
 Hoven, Timothy **DeHart & Darr Associates Inc on**
behalf of Direct
 Jentz, Robert **Envirotest Wisconsin Inc**
 Lamb, Jordan **Envirotest Wisconsin Inc**
 Liebe, Thomas **Northwestern Mutual**
 Longmire, Erin **Multi-State Associates on behalf of**
the National Association of Settlement Purchasers
 Loomis, Suzanne **Primerica Financial Services**
 Lyles, Ward **1000 Friends of Wisconsin**
 Mc Coshen, William J **Community Loans of America**
 McIntosh, Forbes **Garmin International Inc.**
 Moore, Thomas E **Wisconsin Chiropractic Association**
 Petak, George **Securities Industry Association**
 Petersen, Eric J **Venture Investors LLC**
 Plautz, Jolene **Home Instead Senior Care**
 Radloff, Gary **Wisconsin Primary Health Care**
Association
 Roys, Lisa **Apogee Wausau Group**
 Spangler, Maren **Bayer HealthCare**
 Stenger, Scott **American International Group**
 Taffora, Raymond **Virchow Krause Capital LLC**
 Tanner, Brian **United Council of UW Students Inc**
 Taylor, Chad **Dominion Resources Services, Inc.**
 Taylor, Chad **Virchow Krause Capital LLC**
 Thompson-Hill, Jonathan **Procter & Gamble Pharmaceuticals**
 Timm, Craig **Domtar Industries Inc.**
 Varley, Robert **Dominion Resources Services, Inc.**
 Wilson, John D **Dominion Resources Services, Inc.**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,
R. ROTH JUDD
Director

ADVICE AND CONSENT OF THE SENATE

**State of Wisconsin
Office of the Governor**

February 6, 2004
The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint CROSS, CARLA, of Milwaukee, as a member of the Wisconsin Housing and Economic Development Authority, to serve for the term ending January 1, 2008.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Economic Development, Job Creation and Housing.**

**State of Wisconsin
Office of the Governor**

February 5, 2004
The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint HILL, J. C., of Beloit, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Judiciary, Corrections and Privacy.**

**State of Wisconsin
Office of the Governor**

February 3, 2004
The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint MATTSO, LUCRETIA, of Eau Claire, as a member of the Accounting Examining Board, to serve for the term ending July 1, 2007.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Labor, Small Business Development and Consumer Affairs.**

**State of Wisconsin
Office of the Governor**

February 5, 2004
The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ODOM, COREY F., of Milwaukee, as a member of the Prison Industries Board, to serve for the term ending May 1, 2006.

Sincerely,
JIM DOYLE
Governor

Read and referred to committee on **Judiciary, Corrections and Privacy.**

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 03-123
Relating to allowing the operation of double bottoms and certain other vehicles on certain specified highways.
Submitted by Department of Transportation.
Withdrawn by Agency, February 05, 2004.

Senate Clearinghouse Rule 03-122
Relating to titling and registration of homemade, reconstructed, or repaired salvage vehicles.
Submitted by Department of Transportation.
Report received from Agency, February 6, 2004.

Referred to committee on **Transportation and Information Infrastructure**, February 11, 2004.

The committee on **Homeland Security, Veterans and Military Affairs and Government Reform** reports and recommends:

Senate Clearinghouse Rule 03–110

Relating to the administration of the military funeral honors program.

No action taken.

Ronald Brown
Chairperson

The committee on **Labor, Small Business Development and Consumer Affairs** reports and recommends:

Senate Clearinghouse Rule 03–071

Relating to definitions, deleting antiquated provisions related to public accountants, and changes to the requirements for individual and firm certified public accountant licenses.

No action taken.

Senate Clearinghouse Rule 03–115

Relating to increased filing fees.

No action taken.

Thomas Reynolds
Chairperson

CHIEF CLERK'S REPORT

The Chief Clerk records:

Senate Bill 131

Senate Bill 211

Presented to the Governor on February 5, 2004.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 49

Report correctly enrolled on February 5, 2004.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 53

Senate Joint Resolution 54

Report correctly enrolled on February 6, 2004.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 48

Report correctly enrolled on February 10, 2004.